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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

9 JERRI LYNN ENGELKES,

10 Plaintiff,

11 v.

12 NANCY A. BERRYHILL, Acting
13 Commissioner of the Social Security
Administration,

14 Defendant.
15

CASE NO. 2:17-CV-01081-RBL-JRC

REPORT AND RECOMMENDATION
ON STIPULATED MOTION FOR
REMAND

16 This matter has been referred to Magistrate Judge J. Richard Creatura pursuant to 28
17 U.S.C. § 636(b)(1)(B) and Local Magistrates Rule MJR 4(a)(4), and as authorized by *Mathews*,
18 *Secretary of H.E.W. v. Weber*, 423 U.S. 261 (1976). This matter is before the Court on
19 defendant's stipulated motion to remand the matter to the administration for further consideration
20 (Dkt. 13).
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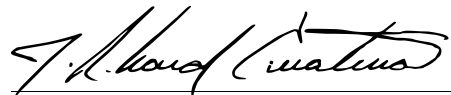
22 After reviewing defendant's stipulated motion and the relevant record, the undersigned
23 recommends that the Court grant defendant's motion, and reverse and remand this matter to the
24 Acting Commissioner.

1 On remand, based on the parties' stipulation, this Court recommends the Administrative
2 Law Judge reevaluate the medical opinion evidence; reevaluate whether plaintiff can perform her
3 past relevant work with the limitations in her residual functional capacity; and issue a new
4 decision.

5 It is further recommended that following proper application, plaintiff shall be eligible for
6 attorneys' fees under the Equal Access to Justice Act, 24 U.S.C. § 2412 *et seq.*

7 Given the facts and the parties' stipulation, the Court recommends that the District Judge
8 immediately approve this Report and Recommendation and order the case be **REVERSED** and
9 **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g).

10 Dated this 19th day of January, 2018.

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12 J. Richard Creatura
13 United States Magistrate Judge
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